

BOSTON REDEVELOPMENT AUTHORITY City Hall / Room 900, 1 City Hall Square / Boston, Massachusetts 02201 / Telephone (617) 722-4300

July 31, 1974

BOARD OF APPEAL REFERRALS

1. Z-3115, Maurice B. Lederman, 215 Sydney Street, Dorchester
2. Z-3126, James Loftus, 47 Business Street, Hyde Park
3. Z-3127, 330 Beacon Street Reatly Trust, 330 Beacon Street, Boston
4. Z-3128, ACW Realty Trust, 90 Antwerp Street, Brighton
5. Z-3129, Arthur Sotir, 67 Chester Street, Allston
6. Z-3131, Joseph Krol, 153 Bigelow Street, Brighton
7. Z-3132, Betty Cofield, 65 South Huntington Avenue, Roxbury
8. Z-3133, Children's Cancer Research Foundation, Inc., 440 Brookline Avenue, Boston
9. Z-3136, Lamonte Realty Trust, 83 Newbury Street, Boston
10. Z-3137, Boston University, 616-620 Commonwealth Avenue, Boston
11. Z-3138-3139, Mario Scata, 72 & 74 Chelsea Street, East Boston
12. Z-3140, Monuhills Post #5592 VFW Inc., 162-172 South Street, Jamaica Plain
13. Z-3143, Robert Dellorfano, 1A Curtis Street, East Boston

MEMORANDUM

July 31, 1974

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert T. Kenney, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing Date: 8/27/74

Petition No. Z-3115
Maurice B. Lederman
215 Sydney Street
Dorchester

Petitioner seeks two variances to erect a wall sign on an office furniture storage building in an apartment (H-1) district. The proposal violates the code as follows:

		<u>Req'd</u>	<u>Proposed</u>
Section 11	Area of sign is excessive.	2 sf	192 sf
Section 11	A wall sign attached parallel to a building may be no higher than 25 feet above grade.		

The property, located near the intersection of Crescent Avenue, contains a three-story masonry structure. The sign, 48 ft. x 4 ft., is existing. It is excessively large and unsightly. No justification is given for non-compliance with regulations. Recommend denial.

VOTED: That in connection with Petition No. Z-3115, brought by Maurice B. Lederman, 215 Sydney Street, Dorchester, for two variances to erect a wall sign on an office furniture storage building in an apartment (H-1) district, the Boston Redevelopment Authority recommends denial. Sign is excessively large and unsightly. No justification is given for non compliance with regulations.



Board of Appeal Referrals 7/31/74

Hearing Date: 8/6/74

Petition No. Z-3126
James J. Loftus
47 Business Street
Hyde Park

Petitioner seeks a forbidden use to erect a one-story garage in a residential (R-.5) district. The proposal violates the code as follows:

Section 8-7. A parking garage is forbidden in an R-.5 district.

The property, located near the intersection of Barry Street, contains 6,387 square feet of vacant land. Area is mixed commercial, industrial, residential. Garage would be utilized for the parking of two trucks and the storage of tools. Abutters have no objection. Following is recommended: that the site be suitably landscaped; that there be no exterior storage of vehicles, tools or materials; that no vehicle repairs be performed on the site. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-3126, brought by James J. Loftus, 47 Business Street, Hyde Park, for a forbidden use to erect a one-story garage in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval with the following provisos: that the site be suitably landscaped; that there be no exterior storage of vehicles, tools or materials; that no vehicle repairs be performed on the site.

Z-3126

BUSINESS ST.
(H.P.)



Board of Appeal Referrals 7/31/74

Hearing Date: 8/20/74

Petition No. Z-3127
330 Beacon Street Realty Trust
330 Beacon Street, Boston

Petitioner seeks a conditional use to legalize existing occupancy (79 apartments, two professional offices, building management office, garage) in an apartment (H-5-70) district. The proposal violates the code as follows:

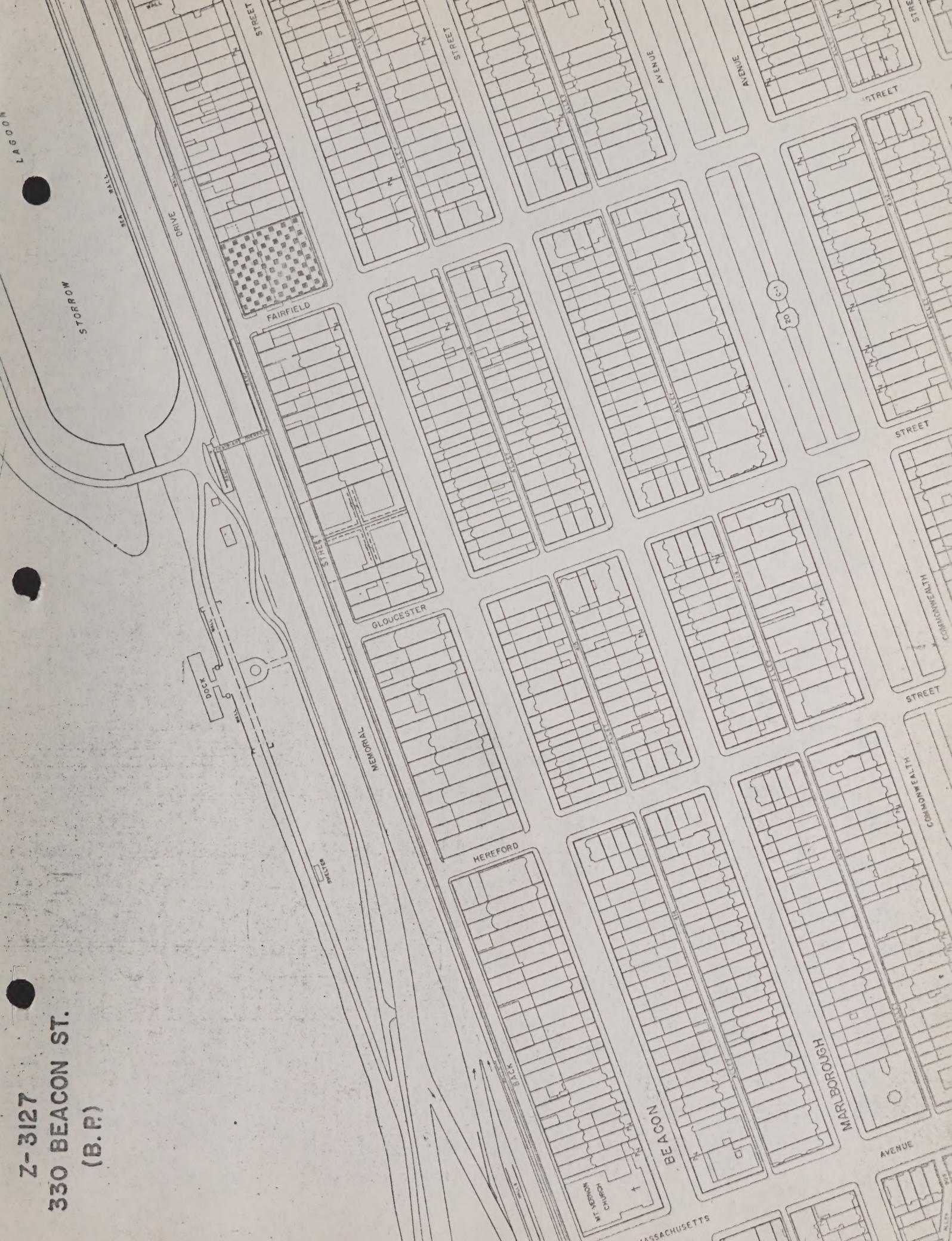
Section 8-7. Professional offices are conditional in an H-5 district.

The property, located at the intersection of Fairfield Street, contains a 17 story structure. Essentially, the petition would legalize doctor's offices which have existed for several years. These professional offices comply with conditional use requirements. Recommend approval.

VOTED: That in connection with Petition No. Z-3127, brought by 330 Beacon Street Realty Trust, 330 Beacon Street, Boston, for a conditional use to legalize existing occupancy (79 apartments, two professional offices, building management office, garage) in an apartment (H-5-70) district, the Boston Redevelopment Authority recommends approval. The professional offices comply with conditional use requirements.

Z-3127

330 BEACON ST.
(B.P.)



Board of Appeal Referrals 7/31/74

Hearing Date: 8/6/74

Petition No. Z-3128
ACW Realty Trust
Alfred C. Whiting, Trustee
90 Antwerp Street
Brighton

Petitioner seeks three variances to erect a one-story addition to a machine shop structure in a residential (R-.8) and light manufacturing (M-1) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 18-1. Front yard is insufficient.	20 ft.	1 ft.
Section 20-1. Rear yard is insufficient.	20 ft.	1 ft.
Section 23-7. Off-street parking is insufficient.	12 spaces	0

The property, located at the intersection of Holton Street, contains a one-story masonry structure (machine shop) and a $2\frac{1}{2}$ story frame dwelling which would be demolished. Expansion of this industrial use into a residential area would have a negative impact on adjacent neighborhood. Community has expressed opposition. Recommend denial.

VOTED: That in connection with Petition No. Z-3128, brought by ACW Realty Trust, 90 Antwerp Street, Brighton, for three variances to erect a one-story addition to a machine shop structure in a residential (R-.8) and light manufacturing (M-1) district, the Boston Redevelopment Authority recommends denial. Expansion of this industrial use into a residential area would have a negative impact on adjacent neighborhood. Community has expressed opposition.

Z-3128
90 ANTWERP ST
(BRI)



Board of Appeal Referrals 7/31/74

Hearing Date: 8/20/74

Petition No. Z-3129
Arthur Sotir
67 Chester Street
Allston

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Petitioner seeks a forbidden use and a variance for a change of occupancy from a three family dwelling to a four-family dwelling in a residential (R-.8) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7.	A dwelling converted for more families which does not meet the requirements for lot area is forbidden in an R-.8 district.	
Section 14-2.	Lot area for additional dwelling unit is insufficient.	1500 sf/du 382 sf/du

The property, located near the intersection of Brighton Avenue, contains a $2\frac{1}{2}$ story frame structure. It is proposed to create a basement apartment. The additional basement unit is unjustified, undesirable and lacks sufficient light and air. Recommend denial.

VOTED: That in connection with Petition No. Z-3129, brought by Arthur Sotir, 67 Chester Street, Allston, for a forbidden use and a variance for a change of occupancy from a three-family dwelling to a four-family dwelling in a residential (R-.8) district, the Boston Redevelopment Authority recommends denial. Proposed basement apartment is unjustified, undesirable and lacks sufficient light and air.

Z-3129

67 CHESTER ST.
(ALLSTON)



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Board of Appeal Referrals 7/31/74

Hearing Date: 8/20/74

Petition No. Z-3131
Joseph M. Krol
153 Bigelow Street
Brighton

Petitioner seeks a forbidden use and four variances to erect a three-story, 24 unit apartment structure in a single family (S-.5) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7.	A multi-family structure is forbidden in an S-.5 district.	
Section 10-1.	Accessory parking may not occupy any part of the required front yard and must be located more than five feet from the side lot line.	
Section 14-2.	Lot area for additional dwelling unit is insufficient.	4000 sf/du 1060 sf/du
Section 15-1.	Floor area ratio is excessive.	0.5 0.6
Section 18-1.	Front yard is insufficient.	30 ft. 9 ft.

The property, located near the intersection of Dunboy Street, contains 30,548 square feet of vacant land. Proposed development would have an adverse effect on this predominant single family neighborhood. Traffic generated would lead to serious congestion on the existing narrow street. Proposal is contrary to conditions required for variance. Recommend denial.

VOTED: That in connection with Petition No. Z-3131, brought by Joseph M. Krol, 153 Bigelow Street, Brighton, for a forbidden use and four variances to erect a three story, 24 unit apartment structure in a single family (S-.5) district, the Boston Redevelopment Authority recommends denial. Proposed development would have an adverse effect on this predominant single family neighborhood. Traffic generated would lead to serious congestion on the existing narrow street. Proposal is contrary to conditions required for variance.

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Z-3131
159 BIGELOW ST.
(B.R.I.)

Board of Appeal Referrals 7/31/74

Hearing Date: 8/6/74

Petition No. Z-3132
Betty Cofield
65 South Huntington Avenue
Roxbury

Petitioner seeks a forbidden use for a change of occupancy from a three-family dwelling to a two-family dwelling and beauty shop in an apartment (H-2) district. The proposal violates the code as follows:

Section 8-7. A beauty shop is forbidden in an H-2 district.

The property, located near the intersection of Craft Street, contains a three-story masonry row structure. Facility would be located on the first floor. Character of immediate area is mixed residential - local business. Neighborhood is not opposed provided signs are kept within code limits. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-3132, brought by Betty Cofield, 65 South Huntington Avenue, Roxbury, for a forbidden use for a change of occupancy from a three-family dwelling to a two-family dwelling and beauty shop in an apartment (H-2) district, the Boston Redevelopment Authority recommends approval provided that any sign comply with code regulations.

Z-3132

65 SOUTH HUNTINGTON ST.
(ROX.)



Board of Appeal Referrals 7/31/74

Hearing Date: 8/20/74

Petition No. Z-3133
Children's Cancer Research
Foundation, Inc.
440 Brookline Avenue
Boston

Petitioner seeks a forbidden use and a change in a non-conforming use for a change of occupancy from a hospital, retail and commercial space to a hospital and bank in an apartment (H-3) district. The proposal violates the code as follows:

Section 8-7. A bank is forbidden in an H-3 district.

Section 9-2. A change in a non-conforming use requires a Board of Appeal hearing.

The property, located at the intersection of Deaconess Road, contains a 15 story structure under construction (exterior completed). Bank would be compatible with commercial - institutional nature of the area. Fen-Pac has no objection.

Recommend approval.

VOTED: That in connection with Petition No. Z-3133, brought by Children's Cancer Research Foundation, Inc., 440 Brookline Avenue, Boston in the Fenway Urban Renewal Area, for a forbidden use and a change in a non-conforming use for a change of occupancy from a hospital, retail and commercial space to hospital and bank in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval. Bank would be compatible with commercial - institutional nature of the area. Community has no objection.

Z-3133
440 BROOKLINE AVE.
(B.P.)



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Board of Appeal Referrals 7/31/74

Hearing Date: 8/20/74

Petition No. Z-3136
Lamonte Realty Trust
Thomas E. Sanders, Trustee
83 Newbury Street, Boston

Petitioner seeks a conditional use for a change of occupancy from offices and stores to offices and restaurant in a general business (B-4-70) district. The proposal violates the code as follows:

Section 8-7. A restaurant is conditional in a B-4-70 district.

The property, located near the intersection of Clarendon Street, contains a four story structure. Type of restaurant, which would occupy the basement and first floor, is contrary to objectives of the Back Bay community. Another restaurant abuts the site. Lack of off street parking would only intensify existing congested conditions. Recommend denial.

VOTED: That in connection with Petition No. Z-3136, brought by Lamonte Realty Trust, 83 Newbury Street, Boston, for a conditional use for a change of occupancy from offices and stores to offices and restaurant in a general business (B-4-70) district, the Boston Re-development Authority recommends denial. Facility is contrary to the objectives of the Back Bay community. Another restaurant abuts the site. Lack of off street parking would only intensify existing congested conditions.

Z-3(36)

83 NEWBURY ST.
(B. P.)



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Board of Appeal Referrals 7/31/74

Hearing Date: 8/20/74

Petition No. Z-3137
Trustees of Boston University
616-620 Commonwealth Avenue
Boston

Petitioner seeks a conditional use and a change in a non-conforming use for a change of occupancy from commercial space to offices, laboratories, classrooms, storage, conference rooms and library in an apartment (H-4) district. The proposal violates the code as follows:

Section 8-7. A university granting degrees by authority of Commonwealth of Massachusetts is conditional in an H-4 district.

Section 9-2. A change in a non-conforming use requires a Board of Appeal hearing.

The property, located near the intersection of Blanford Street, contains a three-story masonry structure. Staff has no objection provided the commercial uses on the first floor are retained. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-3137, brought by Trustees of Boston University, 616-620 Commonwealth Avenue, Boston, for a conditional use and a change in a non-conforming use for a change of occupancy from offices, laboratories, classrooms, storage, conference rooms and library in an apartment (H-4) district, the Boston Redevelopment Authority recommends approval provided the commercial uses on the first floor are retained.



Board of Appeal Referrals 7/31/74

Hearing Date: 8/6/74

Petitions Nos. Z-3138-3139
Mario Scata
72 & 74 Chelsea Street,
East Boston

Petitioner seeks two forbidden uses and six variances to legalize existing occupancy of nine apartments in an apartment (H-1) district. The proposal violates the code as follows:

<u>72 & 74 Chelsea Street</u>	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families which does not meet the requirements of lot area, open space and off-street parking is forbidden in an H-1 district.		
Section 14-2. Lot area for additional dwelling unit is insufficient.	1000 sf/du	0
Section 17-1. Open space is insufficient.	400 sf/du	175 sf/du
Section 23-1. Off street parking is insufficient.	3 spaces	0

The property, located near the intersection of Gove Street, contains a three-story structure. Development is consistent with the residential density of the neighborhood. Recommend approval.

VOTED: That in connection with Petitions Nos. Z-3138-3139, brought by Mario Scata, 72 & 74 Chelsea Street, East Boston, for two forbidden uses and six variances to legalize existing occupancy of nine apartments in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval. Development is consistent with the residential density of the neighborhood.

Z-3138-339

72-74 CHELSEA ST.

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Board of Appeal Referrals 7/31/74

Hearing Date: 8/27/74

Petition No. Z-3140
Monuhills Post #5592 VFW Inc.
162-172 South Street
Jamaica Plain

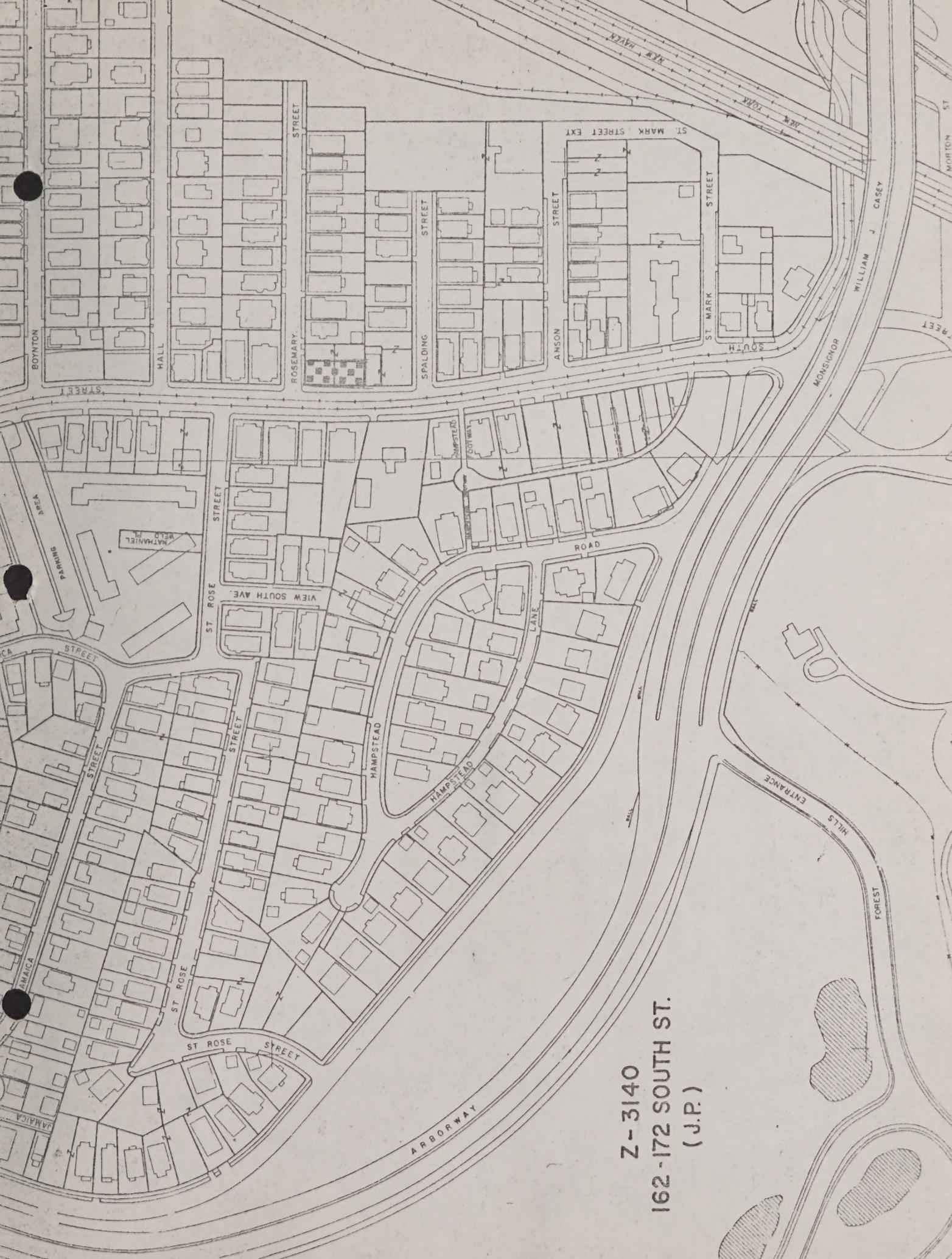
Petitioner seeks an extension of a non-conforming use, a change in a non-conforming use and a variance for a change of occupancy from a veteran's post and store to veteran's post in a residential (R-.8) district. The proposal violates the code as follows:

- Section 9-1. Extension of a non-conforming use requires a Board of Appeal hearing.
- Section 9-2. A change in a non-conforming use requires a Board of Appeal hearing.
- Section 23-2. Off-street parking not provided.

The property, located at the intersection of Rosemary Street, contains a one-story masonry structure. Former dry cleaning store is presently vacant and boarded. Extension would be utilized for storage only. Proposed rehabilitation would enhance property and neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-3140, brought by Monuhills Post #5592 VFW Inc., 162-172 South Street, Jamaica Plain, for an extension of a non-conforming use, a change in a non-conforming use and a variance for a change of occupancy from a veteran's post and store to veteran's post in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. Proposed rehabilitation would enhance property and neighborhood.

Z-3140
162-172 SOUTH ST.
(J.P.)



Board of Appeal Referrals 7/31/74

Hearing Date: 8/27/74

Petition No. Z-3143
Robert Dellorfano
1A Curtis Street
East Boston

Petitioner seeks a forbidden use to legalize existing freight terminal and storage occupancy in a local business (L-5) district. The proposal violates the code as follows:

Section 8-7. A freight terminal is forbidden in an L-5 district.

The property, located near the intersection of Bennington Street, contains a one-story masonry structure. The non-conforming airport oriented facility is incompatible with this predominantly residential neighborhood and generates additional undesirable commercial traffic. Recommend denial.

VOTED: That in connection with Petition No. Z-3143, brought by Robert Dellorfano, 1A Curtis Street, East Boston, for a forbidden use to legalize existing freight terminal and storage occupancy in a local business (L-5) district, the Boston Redevelopment Authority recommends denial. The non-conforming airport oriented facility is incompatible with this predominantly residential neighborhood and generates additional undesirable commercial traffic.

